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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

ALFRED CLARK,

Plaintiff,

v.

U.S. BANK NATIONAL ASSOCIATION,  
*et al.*,

Defendants.

Case No. 2:23-cv-00493-GMN-BNW

**ORDER**

Pro se Plaintiff Alred Clark filed a Motion to Notice the Court of Additional Defendants. See ECF No. 38. Because Plaintiff must add Defendants through a Motion to Amend, the Court directs the Clerk of Court to strike ECF No. 38. Plaintiff is directed to withdraw his pending Motion to Amend Complaint (ECF No. 35) and file a new Motion to Amend Complaint, with the additional Defendants included, by September 26, 2023. Plaintiff's new Motion to Amend Complaint must attach the proposed amended complaint within the same document.

**I. Amending the Complaint**

First, Plaintiff is advised that he must specify which claims he is alleging against which defendants. Although the Federal Rules of Civil Procedure adopt a flexible pleading policy, Plaintiff still must give defendants fair notice of each of the claims he is alleging against each defendant. Specifically, he must allege facts showing how each named defendant is involved and the approximate dates of their involvement. Put another way, Plaintiff should tell the Court, in plain language, what each defendant did to him and when. "While legal conclusions can provide the framework of a complaint, they must be supported with factual allegations." *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009).

Second, Plaintiff's amended complaint must be short and plain. The simpler and more concise Plaintiff's complaint, the easier it is for the Court to understand and screen it. The Federal Rules also require this. Under Federal Rule of Civil Procedure 8, Plaintiff's amended complaint

1 must contain “a short and plain statement of the claim showing that [Plaintiff] is entitled to  
2 relief.” Fed. R. Civ. P. 8(a)(2). “Each allegation must be simple, concise, and direct.” Fed. R.  
3 Civ. P. 8(d)(1). “A party must state its claims or defenses in numbered paragraphs, each limited  
4 as far as practicable to a single set of circumstances.” Fed. R. Civ. P. 10(b). “[E]ach claim  
5 founded on a separate transaction or occurrence . . . must be stated in a separate count.” *Id.*

6 Third, Plaintiff may not raise multiple unrelated claims in a single lawsuit. The Federal  
7 Rules of Civil Procedure do not permit a litigant to raise unrelated claims involving different  
8 defendants in a single action. A basic lawsuit is a single claim against a single defendant. Federal  
9 Rule of Civil Procedure 18(a) allows a plaintiff to add multiple claims to the lawsuit when those  
10 claims are against the same defendant. Federal Rule of Civil Procedure 20(a) allows a plaintiff to  
11 add multiple parties to a lawsuit where the right to relief arises out of the “same transaction,  
12 occurrence, or series of transactions or occurrences.” Fed. R. Civ. P. 20(a)(2)(A). “However,  
13 unrelated claims that involve different defendants must be brought in separate lawsuits.” *Bryant v.*  
14 *Romero*, No. 1:12-CV-02074-DLB PC, 2013 WL 5923108, at \*2 (E.D. Cal. Nov. 1, 2013) (citing  
15 *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007)). This rule is intended to avoid confusion,  
16 which arises out of bloated lawsuits.

17 Lastly, Plaintiff’s amended complaint must be complete in and of itself. If Plaintiff  
18 chooses to file an amended complaint, he is advised that an amended complaint supersedes the  
19 original complaint and, thus, the amended complaint must be complete by itself. *See Hal Roach*  
20 *Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that  
21 “[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading  
22 supersedes the original”); *see also Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012)  
23 (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such  
24 claims in a subsequent amended complaint to preserve them for appeal). Plaintiff’s amended  
25 complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to  
26 pursue in this lawsuit.

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